

**IN THE DISTRICT COURT OF THE VIRGIN ISLANDS  
DIVISION OF ST. CROIX**

VICTOR CANCEL,	)	D.C. CV. NO. 2010-036
Petitioner,	)	
	)	Ref: D.C. CR. NO. 2008-031
v.	)	
	)	
UNITED STATES OF AMERICA,	)	
Respondent.	)	
_____	)	

**O R D E R**

Consistent with the memorandum opinion of even date, it is hereby

**ORDERED** that the government's motion to dismiss Cancel's 28 U.S.C. § 2255 motion is **GRANTED**; and further

**ORDERED** that other pending motions, if any, are **DENIED** as moot; and further

**ORDERED** that a certificate of appealability is not warranted; and finally

**ORDERED** that the Clerk of the Court shall **CLOSE** the above-captioned files.

**DONE AND SO ORDERED** this 19 day of September 2011.

**E N T E R:**

/s/ Raymond L. Finch

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**RAYMOND L. FINCH**  
**SENIOR DISTRICT JUDGE**

**Copies to:**

George W. Cannon, Jr., Magistrate Judge  
Denise Hinds, AUSA  
Victor Cancel, Reg. No. 33200-069, Federal Correctional  
Institution Miami, P.O. Box 779800 Miami, FL 33177 (Please Mark:  
"LEGAL MAIL")